

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

MICHAEL WINNE,

Plaintiff,

vs.

CORRECTIONAL OFFICER JOSH
KNIGHT, SERGEANT WEBER, and
CANDICE NEUBAUER.

Defendants.

CV-15-00044-H-DLC-JTJ

ORDER

Pending are Defendants' Motion for Leave to File Documents Under Seal. (Doc. 39), Errata and Motion for Substitution (Doc. 40) and Second Errata and Motion for Substitution (Doc. 43). Defendants previously filed copies of Plaintiff Michael Winne's Initial Classification Summary (ICS) which contained the name of minors listed in a description of Mr. Winne's criminal case. (Doc. 18-4 at 4; 30-3 at 4.) They move to substitute redacted versions of these documents to remove the names of the minors. Mr. Winne opposes Defendants' motions arguing that some of the criminal allegations contained in the narrative were dismissed and some statements contained therein were illegally taken. (Doc. 41.)

The actual description of Mr. Winne's criminal case in his classification

summary has no bearing on this case and the Court makes no determination regarding the correctness of that description. But, Rule 5.2(a)(3) of the Federal Rules of Civil Procedure requires that the names of minors be redacted and only their initial be included. Mr. Winne can dispute the facts contained in the exhibits in other proceedings but in this case and in this record the names of the minors must be redacted.

Accordingly, IT IS HEREBY ORDERED that Defendants' Motion for Leave to File Documents under Seal (Doc. 39) and Motions for Substitution (Docs. 40, 43) are **GRANTED**.

The Clerk of Court is directed to seal Documents 18-4 and 30-3. Further, the Clerk of Court is directed to file a copy of Document 40-1 as an attachment to Document 18 and a copy of Document 43-1 as an attachment to Document 30.

DATED this 7th day of October 2016.

/s/ John Johnston
John Johnston
United States Magistrate Judge